IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7121 OF 2005.

M/s. Kirloskar Oil Engines Limited ... Petitioner.

V/s.

Goutam Mahadeo Survase ... Respondent.

Shri C.U. Singh, Sr. Counsel with Neel Helekar
i/b M/s. Haresh Mehta & Co. for the petitioner.

Miss Seema Sarnaik for the respondents.

CORAM: V.C.DAGA, J.

DATED: 19th December 2005.

P.C.:

. Rule, returnable forthwith.

. Heard rival parties.

. Both the parties have agreed that by consent the impugned order passed by the Industrial Court, Solapur dated 05.07.2005 be set aside without recording any reason and or examining merits and / or demerits thereof since impugned order does not record reasons in support of its conclusions. Both parties agreed that the matter be remanded to the Industrial Court for consideration afresh.

. In this view of the matter, the impugned order dated 05.07.2005 is set aside by consent of the parties without examining merits and demerits

thereof. The Industrial Court is directed to proceed to hear the parties and pass a reasoned order as to under what circumstances suspension allowance is allowable and whether in the facts and circumstances of this case it was payable. The Industrial Court, Solapur is directed to decide revision as expeditiously as possible by reasoned order within 6 months from the date of receipt of the copy of this order. All rival contentions are kept open.

. Petition is disposed of. Rule is made absolute in terms of this order with no order as to costs.

(V.C.DAGA, J.)